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SUMMARY RECORD OF THE 32nd MEETING

Chairman:	Mr. CISSE	(Senegal)
later:	Mr. BIGGAR (Vice-Chairman)	(Ireland)

CONTENTS

AGENDA ITEM 103: PROGRAMME OF ACTIVITIES OF THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE (continued)

AGENDA ITEM 99: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued)

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 103: PROGRAMME OF ACTIVITIES OF THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE (continued) (A/49/381, A/49/444, A/49/446, A/49/536)

1. The CHAIRMAN said, with reference to the organization of work of the Third Committee, that the Committee had decided, on the recommendation of the Bureau, to consider together sub-items (a) and (e) of agenda item 100, entitled "Human rights questions". Delegations would be entitled to make two statements if they wished under sub-items 100 (a) and (e) respectively. Additional time would be sought as necessary to accommodate any additional speakers under sub-item (e). The deadline for inscription in the list of speakers under sub-item (e) and the deadline for submission of draft proposals would be established following discussion in the Bureau.

2. Mrs. ZACHARIAH (Malaysia) agreed with the Coordinator for the International Year of the World's Indigenous People, whose final report had been issued as document A/49/446, that a 12-month period was insufficient to hope to significantly improve the situation of indigenous communities, particularly given the modest resources available. It was none the less true that the activities set in motion during the International Year had helped to sensitize and increase the level of awareness of the international community to the problems faced by indigenous peoples.

3. Malaysia's contribution to the International Year had been the convening of an international seminar on indigenous peoples in Kuala Lumpur from 29 November to 1 December 1993 with the objective of seeking greater understanding and strengthening international cooperation in that area. The experts on indigenous peoples and the government participants from 34 countries who had participated in the seminar had discussed working papers produced by experts on issues relating to all the communities in question, namely communities in certain regions or countries of Asia and the Americas. The discussions had been reflected in a recently issued report.

4. In recommending the launching of an International Decade of the World's Indigenous People, the Vienna Declaration and Programme of Action had specified that the programmes for the Decade should be action-oriented and be decided in partnership with the indigenous peoples in question. A voluntary trust fund for the international decade should be established and consideration given to the establishment in the context of the Decade of a permanent forum for indigenous peoples.

5. Subsequent to the Technical Meeting on the International Year and the International Decade of the World's Indigenous People, which the Assistant Secretary-General for Human Rights, appointed Coordinator for the International Decade in accordance with General Assembly resolution 48/163, had organized in Geneva in July 1994, the Secretary-General had prepared a preliminary report on a comprehensive programme of action for the International Decade of the World's Indigenous People (A/49/444). Her delegation thought that the programme of

action could be improved. The eight paragraphs on the first page of annex I of the document contained objectives that were too broad. In fact only paragraphs 4 to 7 of part A set objectives to be attained under the proposed programme of activities, while paragraphs 5 and 6 overlapped and should be combined. Part B of annex I should indicate how to coordinate action by different actors aimed at specific objectives so as to facilitate their attainment.

6. Similarly, the objective contained in the first paragraph of part A of annex I was too broad. Paragraph 1 was the main objective of the Decade from which the secondary objectives should follow, namely human rights, the environment, development, health, and culture and education, as well as the establishment of appropriate institutions and mechanisms and the permanent forum envisaged in General Assembly resolution 48/163. Section B could then set out a strategy indicating how to achieve each of the secondary objectives through the implementation of specific programmes by actors involved in each objective. It would then be possible to apportion responsibility and establish target dates for the attainment of each objective, which would considerably simplify monitoring and evaluation of the activities.

7. The same was true of part II of the document relating to activities by United Nations bodies. Her delegation understood that each body would develop programmes and activities consistent with its mandate, but coordination would be required to prevent duplication.

8. She did not see why the General Assembly should adopt a short-term programme of activities for the Decade while the programme of activities itself had yet to be considered formally by the Commission, the Economic and Social Council and the General Assembly. Interim measures were certainly necessary for 1995, but the draft contained in annex II was rather piecemeal in its approach, merely mentioning, for example, as activities meetings that were scheduled to take place in 1995 as part of the work of the Centre for Human Rights. Her delegation believed that the first year of the Decade should focus on information activities and the establishment of a network linking the different actors.

9. Her delegation also had reservations over assigning themes to different years, as proposed in paragraphs 13 and 14 and in annex III of document A/49/444. It would be preferable to concentrate on one general theme with a number of specific, achievable objectives.

10. With regard to financing activities under the International Decade, she cautioned against cross-financing the Decade from other funds. As for the question of the cost of the activities to be carried out under the Decade, it was important to design a programme of activities with clearly defined objectives and with a coordinated approach so as to be able to prepare an accurate estimate of the money needed.

11. Her delegation agreed with the Secretary-General that the Decade should continue with the theme of participation by indigenous peoples in the formulation of programmes to be carried out under the Decade. Expanding the

theme into the realm of development would fit well with the action-oriented requirements of the World Conference on Human Rights and would expand the scope of efforts to establish the rights of indigenous peoples.

12. Mr. KOZIY (Ukraine) said that with barely three weeks to go before the beginning of the International Decade of the World's Indigenous People, the proclamation of which had been recommended by the World Conference on Human Rights and implemented by the General Assembly in its resolution 48/163, it should be appreciated that, despite its complexity, the problem of the protection of the rights of indigenous peoples and national minorities was not insoluble: the international community had the means of reconciling its different views to attain common objectives. It was important to consolidate the consensus that had emerged at Vienna and to apply the provisions of the Vienna Declaration and Programme of Action, in particular those relating to indigenous peoples.

13. Ukraine in general and the Republic of Crimea in particular had had to face the problem of the social protection of deported peoples returning to Crimea. It was expected that over 500,000 Crimean Tatars, Greeks, Armenians, Germans and members of other nationalities who had been forcibly deported under an earlier national policy would return. More than 200,000 already had. The Ukrainian Government had established a fund for those peoples. The political, financial, administrative and other difficulties of resettling those peoples represented a heavy burden for Ukraine and the Republic of Crimea. The lack of resources did not allow for a quick solution of the problem, which was creating serious social tension in Crimea. Crimea thus hoped to receive assistance from the United Nations and regional organizations, as well as from Russia, Uzbekistan and Kazakhstan, where those peoples had been living against their will.

14. His delegation commended the idea of organizing regional consultations with indigenous peoples. Ukraine had cooperated closely with the CSCE High Commissioner on National Minorities, who had visited Ukraine three times in less than a year. The establishment of contacts with the Coordinator for the International Decade could only enhance the positive nature of such consultations.

15. Organized on the initiative of the United Nations and Ukrainian Government authorities, the international conference held at Kiev on 10 November 1994 on the theme of the United Nations Programme for the Integration of the Crimean Tatars and Ethnic Minorities had brought together representatives of 11 countries supporting the Programme. The Programme, phased over five years, was to begin early in 1995 and to cost some $15 million.

16. Ukraine, which had just celebrated the third anniversary of its independence, was fully aware that all aspects of the problem of national minorities and indigenous people should be addressed. To that end, it had established a Ministry responsible for questions relating to nationalities and drawn up a national programme guaranteeing the rights of national minorities. The Declaration on the Rights of Nationalities in Ukraine and the Law on National Minorities in Ukraine, adopted by the Ukrainian legislative authorities

in 1991 and 1992 respectively, conformed fully with the relevant internationally recognized norms.

17. Ukrainians believed that, if indigenous people were represented in the various bodies which concerned them, they would participate more fully in international life. Thus, the Crimean Tatars had taken part in the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights.

18. His delegation agreed with the view expressed by the Secretary-General in his report (A/49/444), that United Nations bodies whose mandate was to deal with the situation of indigenous people would be better able to plan and implement their programmes if they were better acquainted with the problems of those people and took them more fully into account. The role of the Coordinator for the International Decade with regard to information and communication on problems relating to development, environment, health, education and human rights was therefore particularly important.

19. The draft programme of activities for the International Decade of the World's Indigenous People was a document of the very greatest importance. The adoption and implementation of that programme would have an invaluable impact on the efforts made to resolve the problems faced by indigenous people.

20. Mr. CUESTAS (Guatemala) expressed his support for the International Decade of the World's Indigenous People which, like the International Year for the World's Indigenous People, should provide an opportunity to enhance knowledge about indigenous people and to promote union and collaboration between the various sectors of the society to which the indigenous people belonged.

21. The ambitious programme of activities for the Decade proposed by the Secretary-General in his report A/49/444 deserved the support of Member States because it was in keeping with the spirit of General Assembly resolution 48/163, and demonstrated how communication between the United Nations and indigenous people could be improved. In order to achieve the objective of the strengthening of international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health, the programme of activities for the Decade should give an important place to the mobilization of the resources necessary to fund local projects, and United Nations bodies should appeal to the Governments of countries in which those people lived for support. In that connection, Guatemala agreed with the Secretary-General's proposals that a fund-raiser for the Decade should be appointed and that a database and documentation centre should be established to facilitate research work on indigenous people and provide a valuable source of information. Cooperation and coordination between indigenous people and United Nations bodies should certainly be improved. The United Nations Development Programme (UNDP), the Food and Agriculture Organization of the United Nations (FAO), the International Fund for Agricultural Development (IFAD), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Children's Fund (UNICEF) and

other United Nations bodies would be able to participate in the Decade by collaborating in the activities which came within their area of competence.

22. It was, however, Governments which had primary responsibility for adopting plans intended to lead to the integrated development of indigenous people. Guatemala itself, a multicultural country with a rich Mayan and Spanish inheritance, had, within the limits of its modest resources, taken positive measures to benefit the indigenous people, particularly in the area of education, to which it attached particular importance. In accordance with the country's Constitution, bilingual instruction was provided in regions where there was a large indigenous population and plans were currently being studied to adapt the content of the instruction given to the needs of the communities for which it was intended. As part of the decentralization of the educational system, the Government gave Mayan teachers the opportunity to prepare their own scholastic programmes and teaching materials. It had also appointed a national commission to develop strategies in the areas of education and indigenous culture. On 20 July 1994, a fund for indigenous people had been created, following consultations with the indigenous people on the structure to be given to that fund so that it could be used to finance integrated development projects for their benefit. The Government had allocated funds for that purpose for the current and coming financial years.

23. The Guatemalan State recognized, respected and protected the customs, the traditional forms of organization and the languages of the various ethnic groups of Mayan origin which made up Guatemala. The framework for that cultural diversity, however, was a well-defined territory over which the Guatemalan State exercised, and intended to continue to exercise, sovereignty without any possible dispute. Far from being a weakness, it gave Guatemala the strength which made it an indivisible nation.

24. In conclusion, he welcomed the imminent launching of the International Decade of the World's Indigenous People and hoped that it would provide indigenous people with an opportunity to contribute their knowledge to the solution of the major problems of the day.

AGENDA ITEM 99: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued) (A/C.3/49/L.14, L.15 and L.16)

Draft resolution A/C.3/49/L.14

25. Mr. KASTBERG (Sweden), introducing draft resolution A/C.3/49/L.14, entitled "Office of the United Nations High Commissioner for Refugees", on behalf of its sponsors, which had been joined by the Niger, New Zealand, Guinea-Bissau and Cape Verde, said that conflict prevention and conflict resolution, as well as sustainable peace-building were possible only if a comprehensive approach were adopted involving political and diplomatic initiatives, as well as peace-keeping operations, human rights initiatives and humanitarian relief activities.

26. Humanitarian aid had saved many lives and had proved to be an important tool in conflict prevention and conflict resolution. It could, however, easily become an excuse for the inability or reluctance of the countries affected and of the international community to deal with the underlying causes of conflicts. The need to strengthen the international community's ability to respond to those challenges had never been so clear. To that end, there would have to be continued frequent recourse to sources outside the Office of the United Nations High Commissioner for Refugees and the Executive Committee of its Programme. A comprehensive, integrated and coordinated approach by the United Nations to conflict management was still in its early stages. While concentrating on the work of the Office of the High Commissioner for Refugees, the draft resolution under consideration drew attention to the wide range of issues that needed to be addressed in other intergovernmental forums.

27. The Executive Committee of the Programme sought to address the huge increase in the number of persons seeking international protection. In the space of one year, several new emergency situations had resulted in the displacement of some 4 or 5 million more people. In the space of a few days, millions of people had had to flee for their lives. The draft resolution under consideration emphasized the need for a broader outlook on the protection of, and assistance to, people in danger, for example, by tackling the problem of internally displaced persons. The draft resolution also called for a more concerted response by the international community and the United Nations system in order to provide humanitarian assistance and carry out rehabilitation and development activities in a coherent and mutually supportive manner. It stressed the need to improve preventive action in order to avoid the constant repetition of such tragic events as mass displacements of the population, and included a reminder that the High Commissioner had also been given a mandate with regard to stateless persons. He hoped that the draft resolution under consideration would be adopted by consensus.

28. Two countries had asked him to speak on their behalf. He said that it had been proposed that in paragraph 12 the word "necessary" should be replaced by the words "all possible" and that, in paragraph 22, the phrase "and developing countries" should be inserted after the words "the least developed countries".

29. Mr. Biggar (Ireland), Vice-Chairman, took the Chair.

Draft resolution A/C.3/49/L.15

30. Mr. KHEIR (Jordan) introduced draft resolution A/C.3/49/L.15 on the new international humanitarian order. In view of its importance and humanitarian character, he hoped that it would be adopted without a vote.

The meeting rose at 11.10 a.m.